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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 AARYANA LEIGH MALCOLM,

11 Defendant.

NO: 2:13-CR-0124-TOR-1

ORDER DENYING
RECONSIDERATION

12 BEFORE THE COURT is Defendant's Pro Se letter to the Court construed
13 as a motion for reconsideration of the Court's denial of appointment of counsel.
14 ECF No. 316. The Court—having reviewed the letter/motion, the record, and files
15 therein—is fully informed.

16 The Criminal Justice Act states that “representation may be provided for any
17 financially eligible person” who is seeking relief under 28 U.S.C. § 2255 if “the
18 court determines that the interests of justice so require.” 18 U.S.C. § 3006A(a)(2).
19 There is no pending § 2255 motion. Defendant may contemplate seeking to file
20 another § 2255 motion, but the grounds for such relief have not been identified and

1 thus, there is no basis upon which this Court could find the interests of justice
2 requires the appointment of counsel.

3 **ACCORDINGLY, IT IS HEREBY ORDERED:**

4 Defendant's Pro Se letter to the Court construed as a motion for
5 reconsideration of the Court's denial of appointment of counsel (ECF No. 316) is
6 **DENIED.**

7 The District Court Executive is hereby directed to enter this Order and
8 furnish copies to the parties. The Court further certifies that there is no basis upon
9 which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P.
10 22(b).

11 **DATED** November 28, 2018.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge